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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder

Atty. Dkt. No.: 8403.921

Serial No.: Not Yet Assigned

Art Unit: 1775

Filed: Herewith

Examiner: Wendy Boss

For: DECORATIVE GRASS HAVING  
A THREE-DIMENSIONAL PATTERN  
AND METHODS FOR PRODUCING  
SAME

Confirmation No.: N/A

Mail Stop - Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This  
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. [X] Preliminary Statements
2. [X] Form PTO-1449
3. [X] Statement as to Information Not Found in Patents or Publications
4. [X] Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

- 5.    ☐    Cumulative Patents or Publications
- 6.    ☐    Copies of Listed Information Items Accompanying this Statement
- 7.    ☐    Concise Explanation of Non-English Language Listed Information Items
  - 7A.   ☐    EPO Search Report
  - 7B.   ☐    English Language Version
- 8.    ☐    Translation(s) of Non-English Language Documents
- 9.    ☐    Concise Explanation of English Language Listed Information Items (Optional)
- 10.   ☒    Identification of Person(s) Making this Information Disclosure Statement

## **Section 1.            Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2.            Form PTO-1449**

☒    A completed Form PTO-1449 is attached hereto.

### **Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449)**

Applicant admits that floral groupings, such as cut flowers, have been wrapped in the past with green paper and floral paper having a printed design (Weder brochure), that such floral groupings have been enclosed in sleeves, including sleeves having perforations such that a portion of the sleeve can be torn away, and that wall paper has been flocked to provide the three-dimensional patterns. However, Applicant is not aware of any prior art, including the listed patents which disclose, teach or even suggest a method for providing a decorative cover about a floral grouping, comprising: providing a sheet of material having a three-dimensional printed pattern thereon wherein the three-dimensional pattern is produced by application of a foamable ink composition to the sheet of material; providing a floral grouping having a bloom end and a stem end; and wrapping the sheet of material having the three-dimensional pattern printed thereon about the floral grouping to provide the decorative cover for the floral grouping.

Applicant also admits that flower pots containing live or artificial plants, have been wrapped in the past with floral paper having a printed design; that such flower pots have been enclosed in sleeves, including sleeves having perforations such that a portion of the sleeve can be torn away, and that wall paper has been flocked to provide a three-dimensional patterns. However, Applicant is not aware of any prior art, including the listed patents, which discloses, teaches or even suggests a method for forming a preformed pot cover for a flower pot, by: providing a flower pot; providing a sheet of material having a three-dimensional printed pattern thereon wherein the three-dimensional pattern is produced by application of a foamable ink composition to the sheet of material; forming the sheet of material into the preformed pot cover comprising a base and a skirt; and positioning the flower pot in the pot receiving space of the preformed pot cover leaving the open upper end substantially uncovered.

Applicant admits that decorative grass and packing materials have heretofore been made of paper and polymeric materials which are shredded and cut into segments.

Applicant admits holograms are well known. Applicant admits holograms have been used on such things as credit cards and

greeting cards. However, Applicant is not aware of any instance wherein decorative papers having a holographic design thereon have been used to produce decorative grass or decorative packing material.

**Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/058,193, filed on January 25, 2002.

*(complete the following, if applicable)*

- ☐ This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

**Section 5. Cumulative Patents or Publications**

**STATEMENT**

\_\_\_\_\_ is cumulative of the following patents or publications listed on Form PTO-1449:

In accordance with 37 C.F.R. § 1.98(c), a copy of only \_\_\_\_ is being submitted with this Information Disclosure Statement.

**Section 6. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☒ Exception(s) to above:

☒ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

## **Section 7. Concise Explanation of Non-English Language Listed Information Items**

### **Section 7A. Concise Explanation of Non-English Language Listed Information Items - EPO Search Report**

The relevance with respect to the following citations listed on Form PTO-1449:

is submitted on the basis of accompanying:

*(check the appropriate item)*

☐ EPO search report that is in the English language,

☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

### **Section 7B. Concise Explanation of Non-English Language Listed Information Items - English Language Version of EPO Search Report**

## **Section 8. Translation(s) of Non-English Language Documents**

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

*(complete the following, if applicable)*

- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

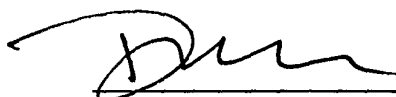
**Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)**

**Section 10. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the agent/attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the agent/attorney's file

Respectfully submitted,



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<b>FORM PTO-1449</b> <small>(Fill-A-Form 7.92)</small> <b>INFORMATION DISCLOSURE                  STATEMENT BY APPLICANT</b> <i>(Use several sheets if necessary)</i>	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	Attorney's Docket Number <b>403.921</b>	Serial Number Not Yet Assigned
Applicant <b>Donald E. Weder</b>		Filing Date <b>Herewith</b>	
		Group <b>1775</b>	

### U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	R	E	3	1	7	8	0	12/25/84	Cooper et al.			
	AB		5	5	7	5	2	6	03/31/1896	Egge			
	AC		7	3	2	8	8	9	07/07/03	Paver			
	AD	1	5	2	5	0	1	5	02/03/25	Weeks	53	461	
	AE	1	8	6	3	2	1	6	06/14/32	Wordingham			
	AF	1	9	7	8	6	3	1	10/30/34	Herrlinger	91	68	
	AG	2	0	3	2	3	8	6	03/03/36	Wood	229	87	
	AH	2	0	4	8	1	2	3	07/21/36	Howard	229	87	
	AI	2	1	7	0	1	4	7	08/22/39	Lane	296	56	
	AJ	2	2	4	0	0	7	2	04/29/41	Hodgdon et al.			
	AK	2	2	7	8	6	7	3	04/07/42	Savada et al.	154	43	
	AL	2	3	7	1	9	8	5	03/20/45	Freiberg	206	46	
	AM	2	4	1	1	3	2	8	11/19/46	MacNab	33	12	
	AN	2	5	1	0	1	2	0	06/06/50	Leander	117	122	
	AO	2	5	2	9	0	6	0	11/07/50	Trillich	117	68.5	
	AP	2	5	4	4	0	7	5	03/06/51	Ernst et al.	150	49	
	AQ	2	6	2	1	1	4	2	12/09/52	Wetherell	154	117	
	AR	2	6	7	9	8	8	7	06/01/54	Doyle et al.			
	AS	2	7	7	4	1	8	7	12/18/56	Smithers			
	AT	2	8	2	2	2	8	7	02/04/58	Avery	117	14	
	AU	2	8	4	6	0	6	0	08/05/58	Yount	206	58	
	AV	2	8	8	3	2	6	2	04/21/59	Borin	21	56	
	AW	2	9	8	9	8	2	8	06/27/61	Warp			
	BA	3	0	2	2	6	0	5	02/27/62	Reynolds	47	58	



## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BB	3	0	2	7	2	6	3	03/27/62	Wanamaker	99	172	
	BC	3	0	9	4	8	1	0	06/25/63	Kalpin			
	BD	3	1	1	3	7	1	2	12/10/63	Kindseth	229	14	
	BE	3	1	2	1	6	4	7	02/18/64	Harris et al.	118	202	
	BF	3	1	3	0	1	1	3	04/21/64	Silman	161	97	
	BG	3	1	4	8	7	9	9	09/15/64	Meroney	220	63	
	BH	3	1	5	0	0	3	1	09/22/64	Powell			
	BI	3	2	1	5	3	3	0	11/02/65	Thomas	229	14	
	BJ	3	2	3	1	6	4	5	01/25/66	Bolomey			
	BK	3	2	5	1	7	2	8	05/17/66	Humbert et al.	161	168	
	BL	3	2	7	1	9	2	2	09/13/66	Wallerstein et al.	53	3	
	BM	3	3	7	6	6	6	6	04/09/68	Leonard			
	BN	3	4	0	0	0	3	6	09/03/68	Hemrick et al.			
	BO	3	4	3	1	7	0	6	03/11/69	Stuck			
	BP	3	4	7	5	1	9	1	10/28/69	Lodge et al.			
	BQ	3	4	8	1	6	6	3	12/02/69	Greenstein			
	BR	3	5	0	8	3	7	2	04/28/70	Wallerstein et al.	53	3	
	BS	3	5	1	4	0	1	2	05/26/70	Martin	220	63	
	BT	3	5	4	9	4	0	5	12/22/70	Schrenk et al.			
	BU	3	5	5	4	4	3	4	01/12/71	Anderson			
	BV	3	6	1	6	1	9	2	10/26/71	Sinclair			
	BW	3	6	2	0	3	6	6	11/1971	Parkinson et al.			
	BX	3	6	3	0	3	6	6	11/16/71	Parkinson et al.	206	59	
	BY	3	6	8	1	1	0	5	08/01/72	Milutin et al.	117	15	
	BZ	3	7	4	9	6	2	9	07/31/73	Andrews et al.			
	B1	3	7	5	7	9	9	0	09/11/73	Buth	220	63	
	B2	3	8	0	8	0	2	4	04/30/74	Witman	117	11	
	CA	3	8	6	5	6	6	4	02/11/75	Neumann			

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CB	3	9	2	2	4	4	0	11/25/75	Wegwerth et al.			
	CC	3	9	2	7	8	2	1	12/23/75	Dunning	229	14	
	CD	3	9	5	0	2	9	0	04/13/76	Drury, Jr. et al.	260	23	
	CE	3	9	5	1	8	9	2	04/20/76	Drury, Jr. et al.	260	23	
	CF	3	9	6	2	5	0	3	06/08/76	Crawford			
	CG	4	0	5	4	6	9	7	10/18/77	Reed et al.	428	40	
	CH	4	0	5	5	6	1	3	10/25/77	Kapral	264	46.4	
	CI	4	0	6	8	0	3	0	01/10/78	Witman	428	159	
	CJ	4	1	6	2	3	4	3	07/24/79	Wilcox et al.			
	CK	4	1	8	9	8	6	8	02/26/80	Tymchuck et al.			
	CL	4	1	9	9	6	2	7	04/22/80	Weder et al.			
	CM	4	2	1	6	6	2	0	08/12/80	Weder et al.	47	72	
	CN	4	2	9	7	8	1	1	11/03/81	Weder	47	72	
	CO	4	3	3	3	2	6	7	06/08/82	Witte	47	84	
	CP	4	3	7	9	1	0	1	04/05/83	Smith	264	40.3	
	CQ	4	3	8	0	5	6	4	04/19/83	Cancio et al.	428	167	
	CR	4	3	8	5	0	8	7	05/24/83	Roberts			
	CS	4	4	0	0	9	1	0	08/30/83	Koudstaal et al.			
	CT	4	4	1	3	7	2	5	11/08/83	Bruno et al.	206	45.33	
	CU	4	4	2	7	7	3	1	01/24/84	Gibson	428	159	
	CV	4	4	7	1	0	7	9	09/11/84	Enami	523	161	
	CW	4	4	7	4	1	1	0	10/1984	Rosner			
	CX	4	5	0	0	3	7	3	02/19/85	Kubota	156	79	
	CY	4	5	2	0	0	6	4	05/28/85	Contemporary Inc.			
	CZ	4	5	3	0	8	6	3	07/23/85	Seeger			
	C1	4	5	4	6	8	7	5	10/15/85	Zweber	206	0.82	
	C2	4	6	8	4	7	9	5	08/04/87	Colgate, Jr.	235	457	
	DA	4	6	9	0	8	4	3	09/01/87	Inagaki	428	36	

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DB	4	6	9	5	5	0	3	09/22/87	Liu et al.	428	207	
	DC	4	6	9	9	8	2	0	10/13/87	Herr, Jr. et al.			
	DD	4	7	3	3	5	2	1	03/29/88	Weder et al.	53	580	
	DE	4	7	6	5	4	6	4	08/23/88	Ristvedt	206	0.82	
	DF	4	7	8	6	5	3	3	11/22/88	Crass et al.			
	DG	4	8	0	1	0	1	4	01/31/89	Meadows			
	DH	4	8	4	4	8	4	9	07/04/89	Miller et al.	264	46.4	
	DI	4	9	1	3	8	5	8	04/03/90	Miekka et al.	264	1.3	
	DJ	4	9	6	0	6	3	8	10/02/90	Mukoyoski et al.	428	342	
	DK	4	9	6	3	2	1	8	10/16/90	Rainey			
	DL	5	0	0	3	9	1	5	04/02/91	D'Amato et al.	118	46	
	DM	5	0	0	8	1	4	3	04/16/91	Armanini			
	DN	5	0	2	8	4	8	2	07/02/91	Jeffs	428	323	
	DO	5	0	8	8	9	7	2	02/18/92	Parker			
	DP	5	0	8	9	3	1	8	02/18/92	Shetty et al.			
	DQ	5	1	1	1	6	3	8	05/12/92	Weder	53	397	
	DR	5	1	2	6	0	1	0	06/30/92	Kobayaski et al.	162	135	
	DS	5	1	3	4	0	1	3	07/28/92	Parker			
	DT	5	1	4	7	7	0	6	09/15/92	Kingman	428	195	
	DU	5	1	5	4	7	6	5	10/13/92	Armanini			
	DV	5	1	7	3	3	5	2	12/22/92	Parker			
	DW	5	1	8	1	3	6	4	01/26/93	Weder	53	397	
	DX	5	1	8	6	9	8	8	02/16/93	Dixon	383	37	
	DY	5	2	0	0	2	5	3	04/06/93	Yamaguchi et al.	428	195	
	DZ	5	2	0	4	1	6	0	04/20/93	Rouser			
	D1	5	2	0	5	1	0	8	04/27/93	Weder et al.	53	397	
	D2	5	2	2	8	2	3	4	07/20/93	de Klerk et al.	206	423x	
	EA	5	2	3	5	7	8	2	08/17/93	Landau			

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	EB	5	2	3	9	7	7	5	08/31/93	Landau	206	423x	
	EC	5	2	4	5	8	1	4	09/21/93	Weder			
	ED	5	2	4	6	7	8	5	09/21/93	Matano et al.	428	542.2	
	EE	5	2	6	2	2	2	2	11/16/93	Kingman	428	195	
	EF	5	2	6	7	7	5	3	12/07/93	Chock	283	58	
	EG	5	2	8	1	2	6	1	01/25/94	Lin	106	20	
	EH	5	2	8	8	1	6	0	02/22/94	Li et al.	401	198	
	EI	5	3	0	7	6	0	5	05/03/94	Straeter	53	466x	
	EJ	5	3	2	0	6	7	2	06/14/94	Whalen-Shaw	106	287	
	EK	5	3	3	5	4	7	6	08/09/94	Weder			
	EL	5	3	3	5	4	7	7	08/09/94	Weder	53	399	
	EM	5	3	4	7	7	8	9	09/20/94	Weder	53	397	
	EN	5	3	6	9	9	3	4	12/06/94	Weder			
	EO	5	3	8	1	6	4	2	01/17/95	Weder et al.	53	399	
	EP	5	3	8	8	3	8	6	02/14/95	Weder			
	EQ	5	3	8	8	6	9	5	02/14/95	Gilbert	206	423	
	ER	5	4	0	3	2	5	9	04/04/95	Parker			
	ES	D	3	6	8	6	5	4	04/09/96	Santoiemmo et al	D9	415	
	ET	5	4	0	8	8	0	3	04/25/95	Weder et al.			
	EU	5	4	2	8	9	3	9	07/04/95	Weder et al.			
	EV	5	4	4	3	6	7	0	08/22/95	Landau	47	72x	
	EW	5	4	4	8	8	7	5	09/12/95	Weder			
	EX	5	4	5	6	0	5	6	10/10/95	Weder			
	EY	5	4	6	5	5	5	1	11/14/95	Weder			
	EZ	5	4	6	7	5	7	3	11/21/95	Weder et al.			
	E1	5	5	0	9	2	5	1	04/23/96	Weder et al.			
	E2	5	5	2	6	9	3	2	06/18/96	Weder et al.			
	FA	5	5	3	3	3	1	9	07/09/96	Weder			

### U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	FB	5	5	3	3	3	2	0	07/09/96	Weder			
	FC	5	5	3	7	7	9	9	07/23/96	Straeter			
	FD	5	5	3	7	8	0	0	07/23/96	Weder			
	FE	5	5	7	3	4	9	1	11/12/96	Parker			
	FF	5	5	8	5	1	4	4	12/17/96	Waitts	427	258	
	FG	5	6	2	9	0	6	8	05/13/97	Miekka et al.			
	FH	5	6	5	6	0	0	8	08/12/97	Beierlorzer			
	FI	5	7	1	2	0	2	0	01/27/98	Parker			
	FJ	5	8	6	1	1	1	9	01/19/99	Weder			
	FK	5	8	7	1	4	3	2	02/16/99	Beierlorzer			
	FL	5	9	0	6	5	6	9	05/25/99	Ratzel			
	FM	5	9	2	1	9	0	7	06/13/99	Beierlorzer	493	357	
	FN	5	9	8	5	3	8	0	11/1999	Weder			

### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	FO	0	1	4	2	8	6	7	05/29/85	EPO				
	FP	1	1	6	6	6	9	2	03/26/64	Germany				
	FQ	1	2	0	4	6	4	7	09/09/70	United Kingdom				
	FR	5	5	7	5	4	6	6	06/06/80	Japan				
	FS	6	2	1	5	6	7	2	09/22/87	Japan				
	FT	9	0	0	3	4	1	2	04/05/90	PCT				
	FU	9	9	1	6	6	1	5	04/08/99	PCT				

EXAM INIT.	<b>OTHER MATERIALS</b> <small>(Including, Author, Title, Date, Relevant Pages, Place of Publication.**)</small>	
	GA	Brochure, "The Simple Solution For Those Peak Volume Periods" Highland Supply Corp. ©1989
	GB	Speed Sheets & Speed Rolls Brochure, Highland Supply Corporation, ©1990, 2 Pgs.
	GC	LePlant SAC Advertisement, published prior to Sept. 26, 1987
EXAMINER		DATE CONSIDERED
<small>EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. **Place of Publication refers to name of publication in which the information was published.</small>		